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10 UNITED STATES DISTRICT COURT  
11 DISTRICT OF NEVADA

12 MICHAEL A. VIDAL, et al.,

13  
14 Plaintiffs,

15 v.

16 VERIZON PENSION PLAN FOR  
17 ASSOCIATES, et al.,

18 Defendants.  
19  
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Case No.: 2:22-cv-00274-ART-BNW

**ORDER APPROVING  
STIPULATION FOR EXTENSION OF  
TIME FOR MICHAEL A. VIDAL AND  
ESTATE OF EVA RAMOS (THROUGH  
ITS ADMINISTRATOR JESSICA  
CLEMENTE) TO FILE AN  
OPPOSITION AND RESPONSE TO ECF  
NO. 44 (THE DEFENDANTS' MOTION  
TO DISMISS) WHICH SUBJECT  
MOTION WAS FILED ON JUNE 17, 2022  
(FIRST REQUEST)**

21  
22 Now come Plaintiffs Michael A. Vidal and Estate of Eva Ramos (through its Administrator  
23 Jessica Clemente) (hereinafter collectively "Plaintiffs"), Conduent Incorporated, Conduent Business  
24 Services, LLC, Xerox Corporation, and Xerox HR Solutions, LLC (hereinafter collectively the  
25 "Conduent Defendants"), and Defendants Verizon Pension Plan for Associates, Verizon Employee  
26 Benefits Committee, Kevin Cammarata, Verizon California Inc., Verizon Communications Inc.,  
27 Verizon Services Corp., and Verizon North. LLC, (hereinafter collectively the "Verizon  
28 Defendants"), and pursuant to LR IA 6-1, LR IA 6-2, LR 7-1, LR 7-2, Federal Rule of Civil

1 Procedure Rule 6 and any other applicable rule needed to effectuate this stipulation hereby stipulate  
 2 and agree concerning the above captioned case (Case No. 2:20-cv-00924-ART-BNW (hereinafter  
 3 referred to as the “Case” or “instant matter”)) as follows:

4 WHEREAS, as the *all* parties that have appeared in the Case (including Conduent  
 5 Defendants, Verizon Defendants and the Plaintiffs (hereinafter the Conduent Defendants, Verizon  
 6 Defendants and Plaintiffs are collectively referred to as the “Stipulating Parties”)) agreed, consented  
 7 and stipulated between themselves to the stipulations, agreements, caveats, terms and conditions  
 8 presented and embodied in a preceding stipulation (ECF No. 32) filed by the Conduent Defendants  
 9 on June 6, 2022 (hereinafter ECF No. 32 is referred to as the “June 6<sup>th</sup> SAO”)(the June 6<sup>th</sup> SAO is  
 10 incorporated herein by reference).

11 WHEREAS, Stipulating Parties agreed, consented and stipulated to all stipulations,  
 12 agreements, caveats, terms and conditions submitted to the Court in the June 6<sup>th</sup> SAO and whereas  
 13 the aforesaid stipulations, agreements, caveats, terms and conditions where agreed and stipulated  
 14 to—by the Stipulating Parties—in both the June 6<sup>th</sup> SAO (on the record) and emails (off the record)  
 15 and whereas the June 6<sup>th</sup> SAO was a quid pro quo stipulation made in good faith and not made for  
 16 purposes of delay (and based on the June 6<sup>th</sup> SAO the Conduent Defendants and Verizon Defendants  
 17 were permitted by the Court to file their first responses in this Case within the extended stipulated  
 18 period provided under the June 6<sup>th</sup> SAO (which each did on June 17, 2022)).

19 WHEREAS, the Conduent Defendants filed a motion to dismiss (ECF No. 44) (hereinafter  
 20 referred to as the “Conduent MTD”) on June 17, 2022 and in the Conduent MTD the Conduent  
 21 Defendants also state they “join” the Verizon Defendants’ preceding June 17, 2022 motion to  
 22 dismiss (ECF No. 42).

23 WHEREAS, the Verizon Defendants also filed a motion to dismiss (ECF No. 42) (hereinafter  
 24 referred to as the “Verizon MTD”) on June 17, 2022 preceding the Conduent MTD and in the  
 25 Verizon MTD the Verizon Defendants stated they “join” the Conduent Defendants’ subsequent June  
 26 17, 2022 motion to dismiss (ECF No. 44).

27 WHEREAS, the Court has set July 1, 2022 as the last date that the Plaintiffs’ can file  
 28 responses and oppositions to the Conduent MTD (ECF. No. 44).

1 WHEREAS, the Court has also set July 1, 2022 as the last date that the Plaintiffs can file  
2 responses and oppositions to the Verizon MTD. (ECF. No. 42).

3 WHEREAS, the Conduent MTD and Verizon MTD each recite they “join” the other, but still  
4 remain two separate motions to dismiss that must be responded to (with an opposition and/or  
5 response for each) but bear the same due dates for oppositions and responses respectively which  
6 periods fully overlap and run concurrently (simultaneously).

7 WHEREAS, because of other litigation of lead counsel for the Plaintiffs, the dual overlapping  
8 motions-to-dismiss (one filed by Verizon Defendants and the other filed by Conduent Defendants  
9 respectively) filed by the defendants in this Case and a hand injury of lead counsel for the Plaintiffs  
10 (limiting certain hand use), the Plaintiffs have requested, and the Verizon Defendants and Conduent  
11 Defendants have agreed to, a 35-day extension of time until the end of **Friday, August 5, 2022** to  
12 file an opposition (and/or response) to the Conduent MTD (and *all* arguments therein, inclusive of  
13 but limited to extending such period until the end of **Friday, August 5, 2022 to file** an opposition to  
14 the Conduent Defendants and any parties that joined the Conduent MTD).

15 WHEREAS, the Plaintiffs assert that the proposed requested 35-day extension from July 1,  
16 2022 until the end of August 5, 2022 will allow the Plaintiffs to obtain the documents and  
17 information necessary to respond to (and oppose) the Conduent MTD and submit (and prepare)  
18 necessary filings.

19 WHEREAS, two different motions-to-dismiss were filed (by different defendants) in this  
20 Case on June 17, 2022 each respective motion with a due date to respond by July 1, 2022 which  
21 means the time for the Plaintiffs to respond to and oppose each such respective motion fully overlaps  
22 the other, and whereas each of the two aforesaid motions respectively requires a separate response  
23 from the Plaintiffs.

24 WHEREAS, in the June 6<sup>th</sup> SAO and in the Stipulating Parties’ email communications the  
25 Stipulating Parties agreed and stated they “stipulate and agree that to the extent any of the Conduent  
26 Defendants or Verizon Defendants, in lieu of filing an answer to the SAC, files a motion pursuant to  
27 Fed. R. Civ. P. 12, Fed. R. Civ. P. 56 or any other rule that the time which Plaintiffs would otherwise  
28 be afforded to respond to such motion pursuant to Local Rule 7.2, Fed. R. Civ. P, 6 and any other

1 applicable rule shall be extended by an additional 35 days” and whereas the Conduent Defendants  
 2 and Verizon Defendants state the Conduent MTD and the Verizon MTD are motions to dismiss. See  
 3 ECF No. 32, ECF No. 42 and ECF No. 44.

4 WHEREAS, in the June 6<sup>th</sup> SAO and in the Stipulating Parties’ email communications the  
 5 Stipulating Parties agreed and stated, “the Parties further stipulate and agree that to the extent any of  
 6 the Conduent Defendants or Verizon Defendants files a motion pursuant to Fed. R. Civ. P. 12, Fed.  
 7 R. Civ. P. 56 or any other rule on or before June 17, 2022 that the time which Plaintiffs would  
 8 otherwise be afforded to respond to such motion pursuant to Local Rule 7.2, Fed. R. Civ. P. 6 and  
 9 any other applicable rule shall be extended by an additional 35 days”, and whereas the Conduent  
 10 Defendants and Verizon Defendants state the Conduent MTD and the Verizon MTD are motions to  
 11 dismiss. See ECF No. 32, ECF No. 42 and ECF No. 44.

12 WHEREAS, this stipulation is filed prior to the current July 1, 2022 due dates (deadlines) to  
 13 oppose, and respond to the Conduent MTD (ECF No. 44) and the Verizon MTD (ECF No. 42).

14 WHEREAS, Fed. R. Civ. P. 6(b) requires the Court to approve an extension of time to file  
 15 oppositions and responses, and therefore the Plaintiffs, Conduent Defendants, and the Verizon  
 16 Defendants collectively respectfully request that the Court approve the stipulation, and HEREBY  
 17 STIPULATE AND AGREE as set forth below:

- 18 a. This is the Stipulating Parties’ ***first stipulation*** for an enlargement of time for the Plaintiffs  
 19 to file an opposition and response to the Conduent MTD (ECF No. 44)(and to also oppose  
 20 and respond to any party that joined the Conduent MTD).
- 21 b. The Stipulating Parties stipulate and agree that the deadline for the Plaintiffs to oppose and  
 22 respond to the Conduent MTD (ECF No. 44) (including opposing the Conduent Defendants  
 23 and any party who joins the Conduent MTD and any arguments the Conduent MTD has  
 24 joined) shall be extended to 35-days from July 1, 2022 until the end of **August 5, 2022**  
 25 **such that the Plaintiffs shall have until the end of August 5, 2022 to oppose and**  
 26 **respond to the Conduent MTD; and**

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c. This stipulation is made in good faith and not made for purposes of delay.

IT IS SO STIPULATED.

/s/ Ikenna Odunze

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and Verizon North LLC*

**IT IS SO ORDERED:**



UNITED STATES DISTRICT JUDGE

DATED: June 23, 2022